

## Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

DLOS-04 OFA-01 OES-03 IO-11 EB-07 SAL-01 /084 W

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R 302250Z JAN 76

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 8618

INFO AMEMBASSY BRASILIA

AMEMBASSY CARACAS

AMEMBASSY LA PAZ

AMEMBASSY SANTIAGO

C O N F I D E N T I A L SECTION 1 OF 2 LIMA 0980

EO 11652: GDS

TAGS: PFOR,PBOR, BO, CH, BR, PE

SUBJ: BOLIVIAN OUTLET TO THE SEA

REF: 75 LIMA 10607 (NOTAL, LA PAZ 0370 (NOTAL, SANTIAGO  
0692 (NOTAL), LIMA 0896 (NOTAL)

SUMMARY: FOREIGN MINISTER DE LA FLOR GAVE NOTE TO CHILEAN  
AMBASSADOR JANUARY 29 PROPOSING PERUVIAN-CHILEAN CONVERSATIONS  
REGARDING PROJECTED BOLIVIAN CORRIDOR AND TACNA-ARICA AREA  
(TRANSLATION OF NOTE BEING SENT SEPTTEL). PERUVIAN NOTE OPENS  
NEW PHASE IN ACCESS TO SEA NEGOTIATIONS, AND NEXT STEP IS  
PRESUMABLY CHILEAN AGREEMENT TO EXPLORE BILATERALLY WITH PERU  
AND POSSIBLY RESOLVE QUESTIONS ARISING FROM ESTABLISHMENT OF  
A BOLIVIAN CORRIDOR. PERUVIAN COMMISSION IS CLOSELY REVIEWING  
PERU-CHILE TREATY OF 1929 AND ITS COMPLEMENTARY PROTOCOL, TO  
BE SURE ALL OF PERU'S RIGHTS THEREUNDER IN BORDER AREA ARE  
PROTECTED IN THE EVENT THE BOLIVIANS ARE GRANTED SOVEREIGNTY  
OVER CORRIDOR. THIS CABLE ALSO INCLUDES SUMMARIZED VIEWS OF  
GOP EXPERTS ON CURRENT STATUS OF NEGOTIATIONS, AND BOLIVIAN  
AMBASSADOR SANJINEZ' ANALYSIS AND PREDICTION ON THE NEXT STEPS  
TO BE TAKEN IN BILATERAL (OR TRILATERAL) NEGOTIATIONS ON THE  
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SUBJECT. END SUMMARY

1. FOREIGN MINISTRY SECGEN MARCHAND INFORMED AMBASSADOR JANUARY 29 THAT GOP WAS PRESENTING NOTE LATER THAT DAY TO CHILEAN AMBASSADOR REQUESTING CONVERSATIONS ON PROPOSED AGREEMENT PROVIDING FOR BOLIVIAN ACCESS TO THE SEA. MARCHAND SAID GOP WOULD BE ASKING FOR MORE INFORMATION, AND ADDED THAT AMBASSADOR-DESIGNATE TO U.S. GARCIA BEDOYA HAD REMAINED A FEW EXTRA DAYS IN LIMA TO SPELL HIM WHILE MARCHAND CONCENTRATED BOTH ON THE MARCONA CONVERSATIONS AND ON PERU'S NEXT STEP VIS-A-VIS THE PROJECTED BOLIVIA-CHILE SETTLEMENT. FONMIN DIRECTOR OF POLITICAL AFFAIRS SILVA ARANDA ALSO TOLD AMBASSADOR THAT GOP "WILL NOT BE PUSHED" REGARDING PERUVIAN RESPONSE TO CHILEAN REQUEST FOR PERU'S COMMENTS. SILVA ARANDA SAID HE WONDERED IF BRAZILIANS ARE IN BACK OF THIS BOLIVIAN-CHILEAN INITIATIVE, BUT WAS NOT MORE SPECIFIC AS TO WHO HE CONSIDERED MIGHT BE PRESSURING GOP. (NOTE: WE ARE PLEASED TO SEE THAT HE DID NOT SINGLE OUT USG AS POSSIBLE SOURCE OF SUCH PRESSURES.)

2. PERUVIAN COMMISSION CHAIRMAN, EX-PRESIDENT BUSTAMANTE Y RIVERO, DISCUSSED SOME ASPECTS OF DELIBERATIONS OF COMMISSION WITH DCM JANUARY 28. FORMER PRESIDENT SAID THAT MEMBERS OF COMMISSION HAD ACCEPTED THIS DIFFICULT TASK OUT OF SENSE OF PATRIOTISM ABOVE AND APART FROM THEIR RESPECTIVE POLITICAL AFFILIATIONS AND IDEOLOGICAL INCLINATIONS. HE SAID THE COMMISSION HAD EMBARKED ON AN INTENSIVE STUDY OF ALL ASPECTS OF CHILEAN-BOLIVIAN PROPOSED AGREEMENT, CONCENTRATING ON PERU'S RIGHT UNDER THE PERU-CHILE TREATY OF 1929 AND ITS COMPLEMENTARY PROTOCOL. HE SPECIFIED THAT PERU EXPECTS TO BE ASSURED, FOR EXAMPLE, THAT A PORTION OF THE WATERS RISING IN THE CHILEAN BORDER AREA, WHICH WOULD PASS TO BOLIVIA UNDER THE CORRIDOR PROPOSAL, WOULD CONTINUE TO BE AVAILABLE IN PERPETUITY FOR THE UCHUSUMA AND MAURI CANALS IN PERU. SIMILARLY, THE OLD CHILEAN COMMITMENTS FOR CONSTRUCTION ON THE SHORES OF BAY OF ARICA WOULD HAVE TO BE MAINTAINED (SEE ARTICLE V OF TREATY OF 1929), AND PERU SHOULD CONTINUE TO HAVE THE RIGHT OF ACCESS TO AND FREE TRANSIT THROUGH THE PORT OF ARICA FOR ITS COMMERCE AND ITS CITIZENS. (NOTE: PROTOCOL STATES THAT EVEN PERUVIAN ARMAMENTS ARE INCLUDED, ALTHOUGH THIS POINT CAN HARDLY BE CONSIDERED MORE THAN A LEGALISM.) MOREOVER, UNDER THE TREATY AND PROTOCOL ANY TRANSFER OF SOVEREIGNTY BY CHILE  
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TO A THIRD COUNTRY (READ BOLIVIA) REMAINS SUBJECT TO A PERUVIAN VETO, AND THE COMMISSION TAKES THIS POINT MOST SERIOUSLY.

3. BUSTAMANTE Y RIVERO ALSO ALLUDED TO THE CONCEPT OF TERRITORIAL INTEGRITY OF THE TACNA-ARICA AREA. HE SAID TREATY OF 1929 AND PROTOCOL ESSENTIALLY PROVIDED FOR PERU'S CONTINUING RIGHTS OF ACCESS TO ARICA, AND FOR CONTINUED TRADE AND MOVEMENT BACK AND FORTH BETWEEN THE PROVINCES OF TACNA AND ARICA. HE SAID PERU WOULD INSIST UPON MAINTENANCE OF TRADITIONAL CLOSE RELATIONSHIP BETWEEN THE TWO PROVINCES IN THE EVENT THAT

A BOLIVIAN CORRIDOR IS AGREED UPOIN. DCM ASKED HOW STATUS OF ARICA-TACNA RAILROAD MIGHT BE AFFECTED. FORMER PRESIDENT REPLIED THAT WHEN TREATY WAS DRAWN UP THE RAILROAD WAS QUITE IMPORTANT AND NO ONE THEN CONCEIVED OF THE PRESENT ARICA-TACNA HIGHWAY BECOMING THE KEY TRANSPORTATION LINK. THEREFORE, WHILE TREATY AND PROTOCOL DEALT WITH THE RAILROAD, SOME NEW ARRANGEMENTS WOULD HAVE TO BE WORKED OUT TO TAKE INTO ACCOUNT THE PRESENT-DAY REALITIES IN ECONOMIC RELATIONS BETWEEN THE TWO PROVINCES. (NOTE: EMBASSY UNDERSTANDS THAT RAILROAD, WHILE STILL OPERATING, IS NOW OF LITTLE PRACTICAL IMPORTANCE.)

4. COMMENT: FOREGOING CONVERSATIONS CLEARLY INDICATE THAT GOP IS REVIEWING CLOSELY EVERY ASPECT OF PERU'S RIGHTS, AS WELL AS PERHAPS ITS EVENTUAL ASPIRATIONS, IN PERU'S LOST PROVINCES IN NORTHERN CHILE. FORTUNATELY THERE WAS NO INDICATION IN ANY OF THESE CONVERSATIONS THAT PERUVIAN OFFICIALS BELIEVE THAT THE U.S. MIGHT BE BEHIND CURRENT BOLIVIAN-CHILEAN INITIATIVE, NOR IS THERE ANY ROLE SUGGESTED FOR THE USG AS PERU-CHILE (OR TRILATERAL) NEGOTIATIONS PROCEED.

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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R 302250Z JAN 76

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 8619

INFO AMEMBASSY BRASILIA

AMEMBASSY CARACAS

AMEMBASSY LA PAZ

AMEMBASSY SANTIAGO

C O N F I D E N T I A L SECTION 2 OF 2 LIMA 0980

5. BOLIVIAN AMBASSADOR JULIO SANJINEZ CALLED AT HIS REQUEST ON AMBASSADOR THIS MORNING (JANUARY 30) TO DISCUSS PERU'S LATEST NOTE, AS WELL AS FUTURE COURSE OF THE PERU-CHILE CON-

VERSATIONS. SANJINEZ COMMENTED THAT HE DOES NOT KNOW WHAT THE GOP INTENTIONS ARE AT THIS STAGE: EITHER (1) TO DELAY FURTHER PROGRESS IN THE NEGOTIATIONS BY STUDYING THE PROBLEM TO DEATH; OR (2) TO ENTER INTO SERIOUS DISCUSSIONS WITH GOC TO RESOLVE BOLIVIAN ACCESS ISSUE ONCE AND FOR ALL ON AN AMICABLE TRILATERAL BASIS. IN THE LATTER EVENT, SANJINEZ BELIEVES THAT THE CONVERSATIONS WILL BE MOST USEFUL IN ORDER TO SORT OUT AND PROTECT PERU'S RIGHTS UNDER THE TREATY OF 1929 AND PROTOCOL. HE SAID THAT GOB HAS ALREADY ASSURED PERU THAT NONE OF THESE RIGHTS WOULD BE DENIED OR PREJUDICED IN ANY WAY.

6. SANJINEZ SAID HE IS INCLINED TO BELIEVE THAT PRESIDENT MORALES BERMUDEZ HAS CONCLUDED IT WOULD BE MOST AWKWARD AND DIFFICULT TO DENY BOLIVIA'S LONG-HELD ASPIRATIONS FOR ACCESS TO THE SEA. HE SAID THAT HE UNDERSTANDS SEVERAL PERUVIAN MILITARY OFFICERS HAVE GONE TO MORALES BERMUDEZ TO COMPLAIN THAT PERU WAS MAKING EXCESSIVE CONCESSIONS, AND THE PRESIDENT ALLEGEDLY REPLIED THE PERUVIANS HAD NOT KNOWN WHAT THEY WERE GETTING INTO IN ENDORSING CONCEPT OF BOLIVIA'S ACCESS TO THE CONFIDENTIAL

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SEA, I.E. THAT THE GOP HAS BEEN DECEIVED BY THE BOLIVIANS AND NOW IS STUCK WITH THE CONSEQUENCES. SANJINEZ BELIEVES THE GOP, WHILE IT CERTAINLY WANTS TO AVOID HAVING TO GIVE AN EARLY RESPONSE, CANNOT ULTIMATELY SAY "NO" SINCE ITS RELATIONS WITH CHILE, AND WITH LATIN AMERICA GENERALLY, WOULD SUFFER. HE SAID THE UPCOMING OAS MEETING IN SANTIAGO, CURRENT DIFFICULTIES OF THE ANDEAN GROUP, AND THE SCHEDULED LATIN AMERICAN PRESIDENTS' MEETING IN PANAMA WILL ALL PROVIDE FORA FOR CONSIDERATION OF BOLIVIA'S ASPIRATIONS, AND PERU CANNOT APPEAR OBSTREPEROUS OR UNGENEROUS WITH ALL OF LATIN AMERICA AS ITS AUDIENCE. SANJINEZ ADDED THAT THE VENEZUELAN GOVERNMENT MAY ALSO URGE CONTINUED PROGRESS IN THESE TALKS (SANJINEZ DID NOT MENTION BRAZIL OR ANY OTHER SPECIFIC COUNTRY IN THIS CONTEXT).

7. SANJINEZ OBSERVED THAT AT SOME STAGE USG INTERCESSION WITH CHILEAN GOVERNMENT MIGHT BE USEFUL IN ORDER TO KEEP THE CONVERSATIONS GOING. HE EXPECTS THAT GOC WILL SOON REPLY FAVORABLY TO PERUVIAN NOTE, AND THAT TALKS BETWEEN THE PERUVIAN AND CHILEAN FOREIGN MINISTRIES WILL TAKE PLACE IN THE REASONABLY NEAR FUTURE. HE SUGGESTED THAT THE U.S. AMBASSADORS IN LA PAZ AND SANTIAGO COULD BOTH BE HELPFUL IN ENSURING CONTINUED PROGRESS BY LOW-KEY INTERCESSIONS WITH THEIR HOST GOVERNMENTS. AMBASSADOR REPLIED THAT HE BELIEVED A USG ROLE IS NOT CALLED FOR AT THIS STAGE, AND MIGHT INDEED BE COUNTER-PRODUCTIVE, ALTHOUGH WE REMAIN SYMPATHETIC WITH DESIRES OF ALL THREE COUNTRIES TO FIND AN AMICABLE SOLUTION.

8. AS TO TIMING, SANJINEZ BELIEVES THE PERU-CHILE CONVERSATIONS MAY REQUIRE FROM A FEW TO SEVERAL MONTHS, AND A FINAL

SETTLEMENT, IF REACHED AT ALL, MAY WELL REQUIRE SEVERAL MONTHS TO A YEAR OR MORE. HIS MAIN POINT WAS THAT THE CONVERSATIONS SHOULD BE CARRIED ON CALMLY AND WITH THE MINIMUM NECESSARY PRESSURES EXERTED FROM OUTSIDE THE AREA ON THE THREE GOVERNMENTS WHICH WOULD BE PARTIES TO AN EVENTUAL SETTLEMENT.  
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